

### Message

**From:** [Nonresponsive based on revised scope]@erllc.com]  
**Sent:** 8/24/2020 8:04:37 PM  
**To:** Wagner, Christine [Wagner.Christine@epa.gov]  
**CC:** [Nonresponsive based on revised scope]@tetrattech.com  
**Subject:** Re: [EXT]FW: Clean Fill VDEQ Requirements

Chris, is the backfill facility a state certified facility with all the required testing of contaminants of concern for the site? If so, we will need to see that analytical. If not then we need to know why no other analytical was ran on the backfill material.

Thanks,

**Nonresponsive based on revised scope**

From: Wagner, Christine <Wagner.Christine@epa.gov>  
Sent: Monday, August 24, 2020 3:52:51 PM  
To: [Nonresponsive based on revised scope] <berllc.com>  
Cc: [Nonresponsive based on revised scope]@tetrattech.com; [Nonresponsive based on revised scope]@tetrattech.com  
Subject: [EXT]FW: Clean Fill VDEQ Requirements

\*\*\*CAUTION\*\*\* This email originates from a source outside the company. Please use caution when opening attachments, clicking on links, or following the senders request.  
FYI, Lauren is our Virginia partner on Unified Command  
Hope this helps  
Chris

From: Pillow, Lauren <lauren.pillow@deq.virginia.gov>  
Sent: Wednesday, November 20, 2019 1:13 PM  
To: Wagner, Christine <wagner.Christine@epa.gov>  
Subject: Fwd: Clean Fill VDEQ Requirements

Hey Chris,

No additional testing of the fill material is required. In the email below, Becky outlines some of the requirements for contaminated soils, but if the fill material is uncontaminated then there are no additional requirements. Let me know if you have any other questions.

Thanks !

Lauren Pillow  
Hazardous Waste Inspector  
Department of Environmental Quality  
901 Russell Drive  
Salem, VA 24153  
Phone: 540-524-8295

lauren.pillow@deq.virginia.gov<https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmail.google.com%2Fmail%2Flauren.pillow%40deq.virginia.gov&data=02%7C01%7Cwagner.Christine%40epa.gov%7Ca7d21c3ffc004a6b772308d84868f290%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637338962871544230&sdata=9RNZX1FqW4skazR8kOePeNEQun0LnCOP9%2FhX6v1neok%3D&reserved=0>

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C01%7Cwagner.Christine%40epa.gov%7Ca7d21c3ffc004a6b772308d84868f290%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637338962871544230&data=sj8%2F1v1Qw%2Bv%2F4%2FtGA3x1A%2Bt5y3vITbMP6cBm6VQw%2BiI%3D&reserverd=0>

----- Forwarded message -----

From: Wright, Rebecca <rebecca.wright@deq.virginia.gov<mailto:rebecca.wright@deq.virginia.gov>>

Date: Tue, Nov 19, 2019 at 3:43 PM

Subject: Re: Clean Fill VDEQ Requirements

To: Pillow, Lauren <lauren.pillow@deq.virginia.gov<mailto:lauren.pillow@deq.virginia.gov>>

Cc: Rohrer, Priscilla <priscilla.rohrer@deq.virginia.gov<mailto:priscilla.rohrer@deq.virginia.gov>>, Nichole Herschler <Nichole.herschler@deq.virginia.gov<mailto:Nichole.herschler@deq.virginia.gov>>, Poland, Jenny (DEQ) <Jenny.Poland@deq.virginia.gov<mailto:Jenny.Poland@deq.virginia.gov>>

Poland, Jenny (DEQ) <Jenny.Poland@deq.virginia.gov<mailto:Jenny.Poland@deq.virginia.gov>>

Lauren

There are not any other requirements if the site where the fill soil is coming from is uncontaminated. They'd be going above & beyond the requirements with the testing unless there is some historical knowledge or evidence of a release.

Any exemption for materials used as clean fill are in section 9VAC20-81-95 of the Solid Waste Management Regulations. There's a conditional exemption for rocks, brick, block, dirt, broken concrete, crushed glass, porcelain, and road pavement used as clean fill. The condition is that no hazard or public nuisance is created by the activity. (See 9VAC20-81-95.D.11)

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There are some requirements for the management of contaminated soils (haz waste) and soils with petroleum. I'm assuming the contaminated media guidance is not required here. The requirements for petroleum contaminated soils management is described under 9VAC20-81-660.D. & E. <https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Faw.lis.virginia.gov%2Fadmincode%2Ftit1e9%2Fagency20%2Fchapter81%2Fsection660%2F&data=02%7C01%7Cwagner.Christine%40epa.gov%7Ca7d21c3ffc004a6b772308d84868f290%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637338962871544230&data=b7SBJDnajeLxhJJCMiARHE4gyV%2BVzrn%2FKjGv%2Fd%2FLTxA%3D&reserved=0>

Section 9VAC20-81-660.D.2 states that soils contaminated solely with petroleum related products including BTEX, TOX, or TPH shall be handled as follows:

d. Soil containing less than 50 mg/kg TPH and total BTEX less than 10 mg/kg may be used as fill material. This soil, however, may not be disposed of closer than 100 feet of any regularly flowing surface water body or river, 500 feet of any well, spring or other groundwater source of drinking water, and 200 feet from any residence, school, hospital, nursing home, or recreational park area. In addition, if the soil is not to be disposed of on the generator's property, the generator shall notify the property owner that the soil is contaminated and with what it is contaminated.

Rebecca Wright  
Environmental Program Planner  
DEQ- Land Protection and Revitalization  
Blue Ridge Regional Office  
901 Russell Drive  
Salem, VA 24153  
(540) 562-6811  
Fax (540) 562-6725

On Tue, Nov 19, 2019 at 2:52 PM Pillow, Lauren  
<lauren.pillow@deq.virginia.gov<mailto:lauren.pillow@deq.virginia.gov>> wrote:  
Hey all,

Chris Wagner called me a little while ago about the drum disposal pit area at Shiloh Church Rd. They are looking ahead to purchasing clean fill material to bring the area back to grade. They have not purchased any fill material yet, but plan on doing the testing noted below to ensure that contaminants are not being added back to the site through the fill. Are there any SW requirements for clean fill or additional testing requirements as noted in her email?

Thanks!

Lauren Pillow

Hazardous Waste Inspector

Department of Environmental Quality

901 Russell Drive

Salem, VA 24153

lauren.pillow@deq.virginia.gov<<https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmail.google.com%2Fmail%2Flauren.pillow%40deq.virginia.gov&data=02%7C01%7CWagner.Christine%40epa.gov%7Ca7d21c3ffc004a6b772308d84868f290%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637338962871544230&sdata=9RNZX1FGw4skazR8kOePeNEQunOLnCO9%2FhX6v1neok%3D&reserved=0>

----- Forwarded message -----

Hi Lauren

Please advise whether any additional testing may be necessary or any other VDEQ requirements which may apply to this task.

Christine Wagner  
Federal On-Scene Coordinator  
EPA Region III  
804-337-3049

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